

RECORD OF PROCEEDINGS

CALL TO ORDER	A regular meeting of the Council Bluffs City Council was called to order by Mayor, Thomas P. Hanafan, on Monday, June 22, 2009 at 7:00 p.m.
ATTENDANCE	Council Members present: Darren Bates, Scott Belt, Lynne Branigan, Matt Schultz and Matt Walsh. Staff present: Richard Wade, City Attorney and Marcia. L. Worden, Acting City Clerk.
CONSENT AGENDA	Walsh and Bates moved and seconded the approval of the consent agenda. Unanimous.
PUBLIC HEARINGS Resolution 09-177	Held Public Hearing regarding Resolution 09-177, granting final plat approval of The Seven at Fox Run Landing – Replat Three, being a replat of Lots 6A through 10B, Lots 20A through 27B through 37B of The Seven at Fox Run Landing Subdivision. Heard from Deborah Petersen, Attorney, 215 South Main Street, representing C.B. Real Estate Development. Belt and Walsh moved and seconded approval of Resolution 09-177. Unanimous.
Resolution 09-184	Held Public Hearing regarding Resolution 09-184, approving the Plans, Specification, Form of Contract and Cost Estimate for the South 11 th Street Storm Sewer; US 275 to 32 nd Avenue, FY10-05C. Belt and Branigan moved and seconded approval of Resolution 09-184. Unanimous.
Resolution 09-185	Held Public Hearing regarding Resolution 09-185, approving the Plans, Specification, Form of Contract and Cost Estimate for the So. 35 th Street Restoration, FY10-16. Belt and Bates moved and second approval of Resolution 09-185. Unanimous.
Resolution 09-186	Held Public Hearing regarding Resolution 09-186, approving the Plans, Specification, Form of Contract and Cost Estimate for the Downtown Street Pole Refurbishing, FY10-17. Branigan and Belt moved and seconded approval of Resolution 09-186. Unanimous.
Resolution 09-187	Held Public Hearing regarding Resolution 09-187, approving the Plans, Specification, Form of Contract and Cost Estimate for the College Road (East) Reconstruction; US 6 to Valley View Drive, FY10-15. Branigan and Belt moved and seconded approval of Resolution 09-187. Unanimous.
RESOLUTIONS Resolution 09-172	Schultz and Walsh moved and seconded approval of Resolution 09-172, imposing penalties against BO T2 Inc., d/b/a T'z, 128 West Broadway, for violation of Iowa Code Chapter 123 and/or Council Bluffs Municipal Code Section 3.08.190 for selling, dispensing, giving, or otherwise supplying alcohol to a minor under the age of twenty-one. Unanimous.
Resolution 09-173	Bates and Belt moved and seconded approval of Resolution 09-173, authorizing the Mayor to grant a waiver of meter bagging fees to Real Property Management, LLC, to be used only when needed on four (4) meters in front of the Historic Creston House during renovation. Walsh indicated another building on South Main Street is also being renovated thanks to the participation of Iowa West and PCDC. Unanimous.
Resolution 09-179	Schultz and Branigan moved and seconded approval of Resolution 09-179, regarding implementation of the Amended Bluffs Center I Urban Renewal Plan and the South Main Urban Renewal Plan. Unanimous.
Resolution 09-180	Walsh and Bates moved and seconded approval of Resolution 09-180, authorizing the Mayor to execute a Letter of intent to enter into a development agreement by and between the City of Council Bluffs and Hughes Irons Facility Corporation for the use of urban renewal and assistance. Unanimous.

RECORD OF PROCEEDINGS

- Resolution 09-181 Bates and Schultz moved and seconded approval of Resolution 09-181, approving the First Amendment to the Offer to Buy real estate for City owned property located at the northwesterly corner of Bennett and (relocated) Franklin Avenues (Lot 1, Franklin Heights Subdivision). Unanimous.
- Resolution 09-182 Belt and Branigan moved and seconded approval of Resolution 09-182, authorizing the Mayor to execute the Order Accepting the Acknowledgement/Settlement Agreement from The Filling Station, Inc., 1531 2nd Avenue, for a violation of Iowa Code Section 453A.2(1). Unanimous.
- Resolution 09-188 Schultz and Bates moved and seconded approval of Resolution 09-188, authorizing the Mayor and City Clerk to execute an agreement with MFT Construction, Inc. for the So. 16th Street Sanitary Sewer Pipe Rehab., FY10-08. Unanimous.
- Resolution 09-189 Belt and Schultz moved and seconded approval of Resolution 09-189, authorizing the Mayor and City Clerk to execute an agreement with Eriksen Construction for the 29th Avenue Storm Water Pump Station Rehab., FY09-05D. Unanimous.
- Resolution 09-191 Walsh and Belt moved and seconded approval of Resolution 09-191, authorizing the Mayor and City Clerk to enter into an agreement with McKinnis Roofing and Sheet Metal for the Bass Pro Roof Replacement and Repair Project. Unanimous.
- Resolution 09-192 Walsh and Bates moved and seconded approval of Resolution 09-192, authorizing the Mayor to sign the Twentieth Addendum to the contract for the operation of a Sexually Transmitted Disease Clinic between the City of Council Bluffs and Dr. Ruben Altman. Unanimous.
- Resolution 09-193 Belt and Schultz moved and seconded approval of Resolution 09-193, authorizing the Mayor to enter into an agreement between the City of Council Bluffs and the Pottawattamie County Visiting Nurses Association. 4 Aye, Abstain (Walsh).
- Resolution 09-194 Bates and Branigan moved and seconded approval of Resolution 09-194, in support of the Police Department's Application for a Justice Assistance Grant (JAG) and setting a Public Hearing for July 13, 2009 at 7:00 p.m. Unanimous.

RECEIVE & FILE ITEMS

Belt and Schultz moved and seconded approval of Receive & File Items 6A thru D. 6A. Three (3) Notices of Claim; 6B. One (1) Notice of Right of Redemption; 6C. Cash Balance Statement, May 31, 2009; 6D. List of Bills, May 31, 2009. Unanimous.

APPLICATIONS FOR PERMITS & CANCELLATIONS

Belt and Bates moved and seconded approval of "New" Liquor License Permit Applications regarding Items 7A (1-2). 1. Buffalo Wild Wings, 3701 Metro Drive, 2. The Fiddlin' Monkey, 154 West Broadway. Liquor/Beer License Renewal Applications regarding Items 7B (1-5). 1. Ameristar Casino (3), 2200 River Road, 2. Bottoms Ups Lounge, 2800 Twin City Drive, 3. Eddys #503, 503 9th Avenue, 4. LPL's Restaurant, 1707 Harry Langdon Boulevard, 5. I-80 Liquor, 2411 South 24th Street. Item 7C. (21) Cigarette Permit Applications. Item 7D1. Special Event Permit Application for Harrah's Fireworks Extravaganza, July 4, 2009. Unanimous.

Heard from Ruth Hall, 210 North 40th Street regarding the removal of IPTV from Cox Communication's tier of channels.

Walsh added he left a message for a Cox representative and received no response. Wade mentioned he was also in contact with Cox Communication; the City has no control or legal standing regarding the agreement between Cox and IPTV although the General Manager of Cox plans on addressing the issue with IPTV. Hanafan noted the General Manager wants to ensure the City gets the correct information regarding cable service.

RECORD OF PROCEEDINGS

Also heard from Jim Nelson, 102 Shaley Circle regarding Cox Communication service.

Walsh referenced an article The Daily Nonpareil printed from former Council Member Sam Irwin regarding taxes.

Belt wished everyone a safe and happy 4th of July.

Schultz directed staff to draft an Ordinance regarding bagging meters, making the approval of such action ministerial in nature.

ADJOURNMENT

Belt and Bates moved and seconded adjournment at 7:20 p.m. Unanimous.

The tape recording of this proceeding, though not transcribed, is part of the record of each respective action of the City Council. The tape recording of this proceeding is incorporated into these official minutes of this Council meeting as if they were transcribed herein.

Thomas P. Hanafan, Mayor

ATTEST:

Marcia L. Worden, Acting City Clerk